

REMARKS

Claims 1-6 remain in this application.

Initially, Applicant would like to express his appreciation to the Examiner for indicating the allowability of the subject matter of claims 2, 4 and 6. However, by this Response, Applicant has traversed the rejection of the independent claims from which the allowable claims depend. Therefore, Applicant has not rewritten these claims, together with the limitations of the base claims, into independent form. Rather, in view of the herein contained remarks, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections, together with the allowance of all the claims pending herein. Such action is respectfully requested and is now believed to be appropriate and proper.

Upon entry of the present response, Applicant will have amended claims 1-6 to clarify the claimed embodiment of the invention and make minor grammatical changes. These changes do not narrow the scope of the claims. Thus, no estoppel should attach thereto.

The Examiner rejected claims 1, 3 and 5 under 35 U.S.C. § 103(a) as being unpatentable over KANEKO et al. (U.S. Patent No. 6,304,669), in view of KIM (U.S. Patent No. 5,832,106). Applicant respectfully traverses the above rejection and submits that it is inappropriate.

According to Applicant's invention, as recited in claims 1, 3 and 5, a picture having an image of a target is used, and the target has main reference point areas and at least one

assistant reference point area, each of which is a high luminance point area surrounded by a low luminance area. High luminance point areas, each corresponding to one of the main and assistant reference point areas of the target, are detected from the picture. Camera parameters, including a position and a direction of the camera when the picture is photographed, are calculated in accordance with the system or processes as recited in the claims.

KANEKO et al. disclose a photogrammetric measurement system. However, KANEKO et al. does not disclose detection of the high illuminance area corresponding to one of the main and assistant reference point areas of the target.

The Examiner asserted that KIM discloses calculation of camera parameters based on the 2-D positions of the reference points. However, KIM merely discloses calculation of distortion of projection onto image plane or image distortion (see e.g., col. lines 29-34, col. 4, lines 64-65). Thus, KIM does not disclose that a position and a direction of the camera when the picture is photographed are calculated based on the two-dimensional positions of main reference point areas.

Accordingly, since neither KANEKO et al. nor KIM, nor any combination of these two references disclose the combination of the features of Applicant's claimed invention, withdrawal of the rejection under 35 U.S.C. §103(a) is submitted to be appropriate and is respectfully requested.

Moreover, Applicant respectfully submits that KANEKO et al. is not prior art according to 35 U.S.C. §103(c). Applicant's present application was filed on September 6, 2000, which is after November 29, 1999, effective date of 35 U.S.C. §103(c). The developers of the subject matter of KANEKO et al., which include five inventors, are different from the developer of the subject matter of the present application. KANEKO et al. was filed on November 9, 1998, which is earlier than the filing date of the present application, but issued on October 16, 2001, which is later than the filing date of the present application. Thus, KANEKO et al. qualifies as prior art only under 35 U.S.C. §102(e).

At the time the present invention was made, the inventor of the present application, Shigeru WAKASHIRO, was subject to an obligation of assignment to Asahi Kogaku Kogyo Kabushiki Kaisha (now PENTAX Corporation by name change), the assignee of KANEKO et al. Copies of the Notices of recordation for the present application and KANEKO et al. are attached.

Thus, since all conditions stated in 35 U.S.C. §103(c) are satisfied, KANEKO et al. is not proper prior art. Accordingly, absent the teachings of KANEKO et al., the rejection is deficient.

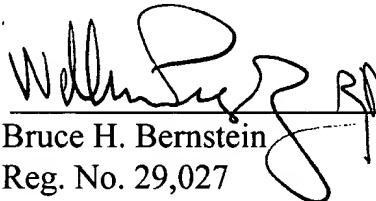
In view of the herein contained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection set forth in the Official Action of

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June 18, 2003, together with an indication of the allowability of all pending claims, in due course. Such action is respectfully requested and is believed to be appropriate and proper.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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